

THE CATHOLIC CHAPTER IN THE HISTORY OF THE UNITED STATES.

A

LECTURE:

DELIVERED

IN METROPOLITAN HALL, BEFORE THE CATHOLIC
INSTITUTE,

ON MONDAY EVENING, MARCH 8, 1852,

FOR THE BENEFIT OF THE HOUSE OF PROTECTION, UNDER THE CHARGE OF THE
SISTERS OF MERCY.

BY THE

MOST REV. JOHN HUGHES, D.D.,
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THE CATHOLIC CHAPTER.

AMERICAN statesmen and orators are never more eloquent than when they dilate on the religious equality which has been guaranteed to all the people of this land by the Magna Charta of their rights and privileges,—the Constitution of the United States. This equality has not only been proclaimed in theory: it has been reduced to practice. The mode by which the framers of the Constitution proposed to secure it was simple, and, I may say, original. In other countries, whether Catholic or Protestant, there had been legislation establishing or recognizing one predominant creed, but sometimes also granting toleration to dissenters from the doctrine of the state religion. In all such cases, the rights of conscience were secured by affirmative laws: here they have a wider scope and a better security, by the constitutional negation of all power to legislate on so sacred a subject. In other countries they are secured by some positive statute,—here they are safer, under a constitutional provision forbidding any such statute to be ever enacted. In other countries toleration was granted by the civil authority,—here the great

men who framed the Constitution saw, with keen and delicate perception, that the right to tolerate implied the equal right to refuse toleration, and on behalf of the United States, as a civil government, they denied all right to legislate in the premises, one way or the other: "Congress shall make no law on the subject of religion, or prohibiting the free exercise thereof."

As soon as the States had approved and confirmed the provisions of the Constitution, it was natural that they should adjust their local charters in accordance with the principles of the great instrument of federal Union. Already, in 1784, Rhode Island had removed the only blemish in her laws on this subject, a brief disqualifying clause against Roman Catholics. Pennsylvania and Delaware, I believe, were the only other States at that period which were not under the necessity of improving their legislative records, by expunging some clause similar to that which Rhode Island had repealed and erased before the general Constitution was adopted. At a very early day, however, several of them followed the example. Some twenty years ago, North Carolina expurged her Constitution in this respect, in part, no doubt, owing to her esteem and regard for one of her own cherished sons, himself a Catholic, the late Judge Gaston, a man whose character was such that it could not but reflect honor on his native State and country. Within a more recent period, New Jersey also, unprompted and of her own accord, revised and improved her Constitution in this respect. New Hampshire, however, clings to her old unaltered charter, in which is a clause disabling Catholics, on account of their religion, from holding any office in the State. Her distinction, therefore, among her sister States, may be described in the words of the poet:—

" 'Tis the last rose of summer,
Left blooming alone,
All its lovely companions"
Not faded but—" gone."

The disqualifying clause is, I suppose, a dead-letter; the Catholics of New Hampshire must be very few. On the whole, I have no doubt but that the liberality of the country at large has imbued the people of New Hampshire with kindest feelings towards even Roman Catholics. It must also be said to her credit, that she was one of the three States who suggested to the framers of the Constitution the very clause which I have cited, and which guarantees to all the people of this widely extended Union the perfect and perpetual equality of religious rights and freedom of conscience. It is only to be regretted that after having performed, at so early a period, the function of index, pointing out at the cross-ways the true path in which her thirty sisters are now advancing peacefully and prosperously, she should have continued stationary and be found the last to practise what she had been among the first to preach.

But it was not in re-adjusting the dead letter of written State Constitutions, that the people of this Union conformed to the new and liberal order which had been sanctioned by their authorized delegates in convention. They labored to imbue themselves, and those around them, with its spirit and its life. The Legislature, the Executive, the Judiciary, the Pulpit, the Bar, vied with each other in cherishing and uttering sentiments of reverence for the sacredness of what had been sanctioned in the provisions of the Federal Constitution. It was the primitive age of American patriotism. I trust, however, that it may never de-

serve to be called, in comparison with subsequent periods of possible degeneracy, the "Golden Age." But at all events, it was a period in which the great men of the country, of all professions, brought their sentiments, their conversation, and actions, nay, controlled and brought even the very prejudices of their youth and education into harmony with the new order of civil, religious, and social life, which had been so wisely provided for in the Federal Covenant. Such an example could not fail to furnish a key-note for the universal tone of American patriotism, which it has not yet lost, and which, I trust, it never will forget or alter.

Roman Catholics, at least, have every reason to remember and to cherish it. It is stated by one of our historians, that at the commencement of the Revolutionary war, except in the city of Penn, there was hardly another place in the Colonies in which, by authority of the laws of the land, a Catholic priest could celebrate mass. Now there is no law against it anywhere.

In view of this wonderful change, it may be, indeed it has been asked, why Catholics, in America, do not procure, or at least petition for, similar alterations of the laws in favor of Protestants in such countries as Italy, Spain, and Portugal? This, in my opinion, is a very silly question. Catholics in America have no more to do with the civil governments of Italy, Spain, and Portugal, than they have to do with those of England, Russia, or Turkey. But the question may, perhaps, be best answered by putting to those who ask it another just as silly,—Why do you, Protestants, not induce England and the Protestant States of Northern Europe to imitate the example of this country, and abolish all legislation on the subject of religion, or "prohibiting the free exercise thereof?"

All such questions, on either side, appear to me not only very absurd in themselves, but entirely out of place in a country like this. It is equally out of place, and altogether untrue, to assert or assume that this is a Catholic country or a Protestant country. It is neither. It is a land of religious freedom and equality; and I hope that, in this respect, it shall remain just what it now is to the latest posterity. There are, however, certain parties that have been only partially, even to this day, penetrated by the spirit of the Constitution, and of the primitive men of the Republic, who, by word, deed, and example, ushered it into the every-day business of American national life. Even this portion of the public mind is constrained to exhibit, or seem to exhibit, on its narrow surface, a formal respect for public law and constitutional right. But still beneath that surface, and in the lower depths, there yet survives a certain vague, traditional memory of Protestant ascendancy, fed by a hereditary prejudice to the effect that, in a civilized state where Protestants constitute the great majority of the people, Catholics ought to be satisfied with a subordinate position, and be very grateful, even at that, for the privileges which the liberality of Protestantism in this country permits them to enjoy.

To me it is a pleasure, as well as a duty, to feel and exhibit gratitude where gratitude is due. But no collector need ever call on me for a tribute of gratitude, unless he can show a better claim than this, on account of kind offices rendered. I am grateful, and bound to be loyal to the country at large, for the benefits which I enjoy in a legal and constitutional way. I am not a citizen by the birthright of nature. But the Constitution and laws have conferred on me the birthright of

civil and political nativity. For this I am grateful. If I have understood the subject, this makes me equal, before the law, to any other citizen of this Union,—and what more need any one desire; what less should any one, who has been deemed worthy to be enrolled on the list of citizens, be willing to submit to? What Catholics are, therefore, in this country, they are not by the favor of spontaneous benevolence, but by positive right, whether natural and original, or legal and acquired.

The object of this lecture, then, will be to show that Catholics, as such, are by no means strangers and foreigners in this land. It is not unusual to hear persons of the description I have alluded to, assume, in conversation, that Catholics are new-comers, who enter the field at the eleventh hour, whereas they have borne the heats of the day. Not so. The Catholics have been here from the earliest dawn of the morning. They have shared in your sufferings, taken part in your labors, contributed to the common glory and prosperity of your country and theirs; and neither the first page, nor the last page, nor the middle page of your history would have been where and what it is without them.

At the period of the Revolution the Catholics of the British Colonies were, no doubt, few. Still they were even then numerous enough to leave their mark both on the battle-field of freedom and on the Declaration of Independence. At that period, the Catholics in this country were probably forty thousand, out of three millions. At present my own opinion is, that they are not less than three millions and a half of the whole population. Emigration, no doubt, has contributed much to this result. But has not the whole country been growing by supplies from this source,

from the very beginning? Even the oldest and stately family oak that now adorns the fields of early colonial plantation, though it has spread its branches far in American air, and struck its roots deep into American earth, may be traced back to its feeble beginnings of growth from an European plant transferred hither by emigration. And as it has been so it will be, with similar cases. Now this emigration has been going on since the commencement of the Colonies and of the Republic. But with or without this present emigration, the Catholics have been at all times sufficiently numerous to take part with their Protestant fellow-citizens in whatever was deemed essential to the interest and honor of the country. It is true that, as a general rule, they are seldom represented by members of their own creed in the halls of legislation, or in the high places of public office. If you look for them in such places, you will find them, at most,

"Rari nantes in gurgite vasto."

But this is a slight affair. There are other departments of the public service in which, perhaps, a truer criterion is presented as the test of patriotism. From the day on which the national flag was first unfurled in the name of independence, when the people of these Colonies appealed to the sword, and left the issue of the struggle to Heaven's arbitration, until the day on which that same flag was seen triumphantly waving over the capital of Mexico, I think I shall be safe in saying that there has not been one important campaign or engagement in which Catholics have not bivouacked, fought, and fallen by the side of Protestants, in maintaining the rights and honor of their common country. On

all these occasions, from a glance at the roll of the missing, or a gaze on the upturned faces of the dead, it would be easy to discover that, however small the constituency, the Catholic body never failed to furnish a comparatively numerous delegation to the battle-field; so that whether in defence of the country, or in discharging the duties of civil, social, commercial, or professional life, they have justified their title, as of right, to that perfect equality with their Protestant fellow-citizens which the Constitution has conferred indiscriminately on all.

But it may be said, that even the Constitution itself is a spontaneous concession, for which we are indebted to the liberality of Protestantism. If I had proofs of the contrary, what I deem due to the propriety of this occasion would prevent my making use of them. All credit and all gratitude to the liberality of the great men who framed that document, who were almost, if not altogether, exclusively Protestants. But the matter was not one which they might dispose of according to the impulse of their own high and generous feelings,—and if there had been only one form of Protestantism professed in all the Colonies, I fear much that, even with Washington at their head, the Constitution would not have been what it is. Almost every Colony had its own form of Protestantism, and I am sorry to have to say that among them, even on religious matters, mutual charity was not always superabundant. Antagonisms from without would have defeated all the purposes of the confederation of States, if the Convention had attempted to favor any one of those forms at the expense of the others. But be this as it may, it is in the order of my subject to contend that, with or without the Constitution, there was

no civil or religious immunity won by the success of the Revolution, in which Catholics were not morally and politically entitled, in their own right, to share equally with their Protestant fellow-citizens.

Now the Catholic Church has no recognized theory on the subject of forms of civil government. The little Republic of San Marino has preserved its independence and its republican forms for fourteen hundred years, in the very heart of the Papal States. The Church, however, is not an approver of revolutions, except when they are clearly justifiable. Having experienced singular protection in all the vicissitudes and revolutions of the social and political world during eighteen centuries, she has the consciousness that she lives by an inherent vitality within herself, of more than human origin. This has sufficed her during the past,—it is sufficient for the present, and she is never troubled with doubts or misgivings in regard to her position in the future, which God has in His own hands, and can dispose of as He will. The first impression which the influence of her doctrine in regard to the principle of revolution would produce, I think, would be a presumption in favor of existing authority, until cause to the contrary should appear. Yet the principle of passive obedience on the part of subjects, or of absolute and irresponsible authority on that of sovereigns, never was, and certainly never will be, an approved principle of hers. She seems to have little confidence in theoretical systems which assume that great or enduring benefit is to result from those sudden and unexpected excitements, even of a religious kind,—those enthusiasms in favor of new schemes—those irregular starts, and leaps, and bounds of popular ardor—now in one direction, now in another, and not unfrequently in

different and even opposite directions at the same time—by which the pace of society is to be preternaturally quickened in the path of universal progress. In short, having witnessed so many experiments tried on poor credulous humanity by new doctors who turned out to have been only quacks, panaceas are not by her highly valued. She has had such long and universal experience, and such opportunities of studying her subject, that she knows what is in the heart of man, the bad as well as the good, much better than he knows it himself. She is inclined to suspect or distrust all those crudely conceived political changes which disturb the peace of communities and nations, without improving their condition. Oh, how many of these abortive and disastrous changes has she not witnessed throughout the whole world during her life of eighteen hundred years!

But a revolution begun under such circumstances as marked the commencement, the prosecution, and completion of the American struggle for freedom, it would be impossible for her to condemn. It was admitted by the wisest statesmen of the English Senate, that the authority of the British Constitution was on the side of the colonists, and directly opposed to the violent course of their own infatuated government, in regard to the principle for the maintenance of which the Americans took up arms. Accordingly the Catholics—clergy and laity—were among the first and most ardent to join their countrymen in defence of common rights. Charles Carroll, of Carrollton, signed the Declaration of Independence, with a bold and steady hand, risking his immense property, as well as his life, in the cause of his country. His cousin, the Rev. John Carroll, then a priest and a Jesuit, after-

wards the venerated first Archbishop of Baltimore, was associated with Franklin, Chase, and Charles Carroll, on a mission to conciliate, pending the war, the good will, or at least the neutrality of the Canadians, who were Catholics. John Barry, of Philadelphia, a most devout Catholic, a native of Wexford, in Ireland, was appointed to command the Lexington, the first vessel of war owned by the Continental Congress. And so well did he acquit himself, that he received special thanks and commendations from Washington himself. He was raised to the highest rank; the first who ever obtained from this government the title which is popularly known as Commodore; his memory is held in respect by his gallant successors, and he is not unfrequently designated as the father of the American Navy.

But not to speak of others who took a distinguished, though less prominent, part in the great struggle, who, I may be allowed to ask, were your allies? Catholics. The troops furnished by Catholic France, to aid in the war of American Independence, I find it stated, amounted in all to thirteen thousand. The vessels furnished by the same government, for the naval service of the young Republic, are set down in all at forty-five ships of the line, besides frigates. But money was as necessary as men; and when the exchequer of Congress was empty, when the paper issues had ceased to represent any positive value, loans were advanced by that same country, amounting in all to seven millions of dollars. Neither was this yet all. I find another account of three ships dispatched from France to this country, laden with military stores, including two hundred pieces of artillery, four thousand tents, and clothing for thirty thousand men. It may be said

that France did all this from political motives, with a view to damage the power of England. But I have intended only to state the fact, not to discuss the motive. Supposing the motive to be what you say,—the Colonies were actuated by the same desire: they, too, wished to damage and cripple the power of England, so as to prevent her from being able to despoil them of their constitutional rights as freeborn men.

According to all popular ideas, at least on this side of the Atlantic, the issue involved in the War of Independence was a choice, as England presented it to the colonists, between political freedom and political slavery. During the contest, so far as religion is concerned, who were your allies and your friends? I answer, Catholics,—and, if I may be permitted to add, none but Catholics. Of course, I do not mean to exclude by this remark the chivalrous men of different nations, who risked their lives and fortunes in your cause, and I would be especially ungrateful, if among them I omitted to mention the name of the gallant Montgomery, who fell at Quebec. I speak of your allies and friends in their national, public character. On the other hand, in this contest between slavery and freedom, who were your enemies? Protestants,—and, if I may say it without offence, none but Protestants. Let me prove this. It is known how much the British army has been in all modern times made up of Irish Catholic soldiers. Their courage and fidelity have never been denied by their officers or the Government of England. But in the war which England was about to wage against the rising liberties of this country, Lord Howe, who was to take command, wrote to the British ministry that he “disliked and could not depend on Irish Catholic soldiers,” and suggested that German mercenary troops should be em-

ployed,—and these German mercenaries turned out afterwards to be the far-famed Hessians.

Again : In raising German troops for the purpose of crushing the liberties of this country in the war of Independence, the agents of Great Britain on the Continent complained of the obstacles that were thrown in their way, whether in raising recruits, or in forwarding them, and these difficulties, it appears by dispatches to the Government in London, were ascribed to the intrigues and opposition of Catholics in Germany.

I think that, on a review of these evidences, there is no just and candid American, pretending to have any adequate knowledge of the history of his own country, who will not agree with me, that at the close of the war the Catholics of this land were entitled, in their own right, to the civil and religious immunities which are secured to them in common with their fellow-citizens of other denominations, by the achievement of the independence of the United States. But there is another ground, in favor of a vast number of them, involving the additional pledge of national honor.

It will be recollected that, at the close of the French war, Canada was ceded by France to Great Britain. The Colonies took a great interest in that war in which Washington, still a youth, distinguished himself. The issue of the struggle has an immense bearing on the early history of the United States. From the Gulf of St. Lawrence to the mouth of the Mississippi, by exploration of rivers and lakes, including even Lake Superior, by acquaintance with various tribes, by missionary posts here, settlements there, forts, or something corresponding, in other places, the French, still Catholics, had created before the law of nations a valid title to the

whole of the valley of the Mississippi, if they had proved themselves physically capable of defending it against the combined power of England and her Colonies. France proved unequal to the effort. Canada was ceded, by the treaty of Paris, in 1763, to England,—including all the dependencies of Canada or of New France in North America.

Now the rights of property and of religion were secured to all the inhabitants of the territory ceded in 1763 by France to England. The title to all the claims of France west of the Alleghanies, which passed to England by treaty, became vested in the United States at the close of the American war, and this country was bound in honor to respect the clause which had secured the rights of property and religion to the inhabitants. Again, Louisiana was acquired directly from France by purchase, subject to the same condition. Florida was bought from Spain, within my own recollection. Texas, at a period more recent still, and now, last of all, New Mexico, and the golden regions of California, have been acquired by treaty, and added to the national domain. In all these territories and states, the rights of property and religion have been guaranteed to the inhabitants; and now, at this late day, are the ancient, or even the new, Catholic inhabitants of such towns as Kaskaskia, Vincennes, St. Louis, on the Wabash and Mississippi,—Natchez, Mobile, St. Augustine, New Orleans in Louisiana, Santa Fe, in New Mexico, or San Francisco, Santa Barbara, and Monterey, in California,—in despite of treaties, (and the best treaty of all, the American Constitution,) to be told that this is a Protestant country?—with the soothing assurance, however, that they need not be alarmed, that Protes-

tantism is only another name for liberty of conscience and universal toleration, and that of its bounty, and under its benign and exuberant benevolence, they are and shall be permitted to enjoy themselves, to own and manage their property, and to practise their religion, just the same as if they were entitled to equality of rank as fellow-citizens! Why, if I know any thing of the American character, the enlightened portion of the Protestant mind of this country would feel as indignant as the Catholics themselves could feel, at the utterance of such pretensions. And yet they are all included in that one unjust and unhallowed assumption that this is a Protestant country, in which Catholics are permitted to live by the gratuity of Protestant toleration.

Let us now go back to the period which preceded the Revolution, whilst these States were as yet in the condition of British Colonies. I need hardly recall to your recollection that of the three primitive Colonies, one, that of Maryland, was Catholic. That of Virginia was first founded permanently in 1607, Massachusetts Colony in 1620, and that of Maryland in 1634. I will not speak of the other Colonies, because I do not regard them as primitive, but only as incidental off-shoots, springing up at a distance, and oftentimes growing out of a local necessity for a departure of some from the dwelling-place of their former friends. The Virginians, if I have not misunderstood their character and history, were high-minded, chivalrous,—disposed to cultivate, and realize *their* ideal of English gentlemen, even in the wilderness. They were aristocratic in their feelings, and they could hardly have been otherwise. They were the favored sons of England on these shores, as regarded both Church and State.

Very different, in many respects, were the Pilgrim

Fathers of Plymouth. Both Colonies were of the same national stock and origin, but the early inhabitants of both had been brought up under the influence of systems and associations quite antagonistic to each other. I am sorry to say that Catholics were not favorites with either. They were regarded by both with feelings, if I can use such an expression, of intense dislike,—whilst neither the inhabitants of Virginia, nor those of Massachusetts, were, by any means, over tolerant to each other. The Puritans were earnest men. This is not the place or time to speak of their religious doctrines. But whether they were safe guides in Theology or not, that they were sincere, I have no doubt. Now next to truth, in all cases, sincerity has the first and strongest claim to the respect and almost veneration of the human mind. Not only were they earnest and sincere, but there was no double man among them. Whatever they seemed to be, that they were, neither more nor less. In the transcendentalism of some of their descendants, in our day, the whole of the law and the prophets has been reduced to the summary of a phrase, which implies that each one should "*act out his own individual inward life*," and this is the precise life of which their pilgrim fathers had left them the practical example. Among them, no man presented a duality or plurality of outward phases, each purporting, according to the exigencies of interested expediency, to be the uniform type of his interior individual life. They had suffered much from persecution on account of their religion, and they did not deem it extravagant to claim, in the wilderness at least, the privilege of being united, and undisturbed in their worship by the inroads of sectarians, and of doctrines at variance with their own. They had arrived amid the rigors of winter; they were

welcomed only by ice, rocks, wild forests, and the probable hostility of Indian tribes. The reception was cold, indeed; but, in their minds, not more so than their expulsion from their native land, for such they considered it, had been cruel. The convictions of their conscience, on account of which all this had been brought upon them, and on account of which they had rejoicingly submitted to the hardships of their position, were such that their very sufferings served but to render their religion more and more dear to them. They cherished their religion above all things; and, with a view to transmit it unaltered to their posterity, they conceived that they did others no wrong by excluding all other creeds, and the votaries of them from their own remote, quiet, and united community. They had no objection that others should enjoy liberty of conscience; but it was not to be in their Colony. They judged that those others, if they wished liberty of conscience, might imitate their example, and find for themselves a Plymouth rock in some other bay. If any preacher of new doctrine rose among them, they did not deem it either unjust or oppressive to require that he should find or found a congregation for himself somewhere beyond their borders. Whoever would judge justly and impartially of their subsequent legislation in matters of religion, should, in my opinion, regard it from this *a priori* point of view.

Next to religion, they prized education. If their lot had been cast in some pleasant place of the valley of the Mississippi, they would have sown wheat, and educated their children; but as it was, they educated their children, and planted whatever might grow and ripen on that scanty soil with which capricious nature had tricked off and disguised the granite beds beneath.

Other Colonies would have brought up some of the people to the school; they, if I may be allowed so to express it, let down the school to all the people, not doubting but, by doing so, the people and the school would rise of themselves. The consequence has been that education has become, among their descendants, a domestic inheritance, transmitted carefully from one generation to another. It has become one of the characteristics of New England, and a nobler one she need not desire. Her sons have gone forth to every portion of this widely extended and free empire; and owing to their advantages of education they are generally sure to succeed, and often excel, in whatever business or profession of life they adopt. Owing to the same cause, the influence which they have exercised over the general mind of the country, has been felt and acknowledged on every side. And if this is due first to their common schools, and next to their colleges,—and if they are indebted for their common schools to their Pilgrim ancestors, it does them credit that, with filial reverence, they keep up from year to year the annual celebration of their forefathers' day. But it never occurred to the founders of their common schools that a time should arrive, when, under the plea of shutting out sectarianism, Christianity itself should be excluded from popular education. On the contrary, with their forefathers, the church and the school were regarded as mutually necessary to each other, and not to be separated. Time, I fear, will show that the system, the experiment, of divorcing religion from education, in the common schools, will be attended with far less benefit both to the pupils and to the country, than that system which was sanctioned by the colonists of Massachusetts.

If partiality has sometimes portrayed the public

character, whether of the primitive Virginians, or of the Plymouth pilgrims, in colors brighter, that is more glaring, than truth, prejudice has seldom failed to follow and supply the shading with a darker hue than truth can warrant.

And now of the other primitive colony, Catholic Maryland, what shall I say? The portrait of the Maryland colony has also been taken by many artists, and the mutual resemblance of the copies is very remarkable. The picture is not over brilliant, but it is very fair. Its light is so little exaggerated, that prejudice itself has never ventured to profane the canvas with a single tint of additional shading. I will present it to you as drawn by the impartial pen of a Protestant historian, a native of New England by the by, of whose reputation she and the whole country may well be proud:—I mean the Hon. George Bancroft. Of course, I shall invite your attention to those features which show that if civil, but especially religious, liberty be a dear and justly cherished privilege of the American people, the palm of having been the first to preach and practise it is due, beyond all controversy, to the Catholic colony of Maryland. The history of the whole human race had furnished them with no previous example from which they could copy, although Catholic Poland had extended a measure of toleration to certain Protestants of Germany, which had been denied them by their own brethren in their own country.

George Calvert, known as Lord Baltimore, was the projector of the Catholic colony of Maryland, although it was actually settled under the leadership of his brother, Leonard Calvert, "who," says Bancroft, "together with about two hundred people, most of them

Roman Catholic gentlemen and their servants, sailed for the Potomac early in 1634." Their landing is described as having taken place on the 27th of March. On the spot on which they landed and in their first humble village of St. Mary's, the historian goes on to state that—"there religious liberty obtained a home, its only home in the wide world." Representative government was indissolubly connected with the fundamental charter, and it was especially provided, that the authority of the absolute proprietary should not extend to the life, freehold, or estate of any emigrant. The character of Lord Baltimore is described by the historian in the following terms:—

"Calvert deserves to be ranked among the most wise and benevolent lawgivers of all ages. He was the first in the history of the Christian World to seek for religious security and peace by the practice of justice, and not by the exercise of power; to plan the establishment of popular institutions with the enjoyment of liberty of conscience; to advance the career of civilization by recognizing the rightful equality of all Christian sects. The asylum of Papists was the spot, where, in a remote corner of the world, on the banks of rivers which, as yet, had hardly been explored, the mild forbearance of a proprietary adopted religious freedom as the basis of the state."

He goes on further to remark, that at that period "every other country in the world had persecuting laws; 'I will not,'—such was the oath for the Governor of Maryland,—'I will not, by myself or any other, directly or indirectly, molest any person professing to believe in Jesus Christ, for or in respect of religion!' Under the mild institutions and munificence of Baltimore, the dreary wilderness soon bloomed with the swarming

life and activity of prosperous settlements; the Roman Catholics, who were oppressed by the laws of England, were sure to find a peaceful asylum in the quiet harbor of the Chesapeake; and there, too, Protestants were sheltered against Protestant intolerance."

Their Colonial Assembly incorporated the same principles in their acts of legislation.

"'And whereas the enforcing of the conscience in matters of religion'—such was the sublime tenor of the statute—'hath frequently fallen out to be of dangerous consequence in those commonwealths where it has been practised, and for the more quiet and peaceful government of this province, and the better to preserve mutual love and amity among the inhabitants, no person within this province, professing to believe in Jesus Christ, shall be any ways troubled, molested, or discountenanced for his or her religion, or in the free exercise thereof.' " He adds :—

"Maryland, at that day, was unsurpassed for happiness and liberty. Conscience was without restraint; a mild and liberal proprietary conceded every measure which the welfare of the Colony required; domestic union, a happy concert between all the branches of government, an increasing emigration, a productive commerce, a fertile soil, which Heaven had richly favored with rivers and deep bays, united to perfect the scene of colonial felicity and contentment. Ever intent on advancing the interests of his Colony, Lord Baltimore invited the Puritans of Massachusetts to emigrate to Maryland, offering them lands and privileges, 'and free liberty of religion;' but Gibbons, to whom he had forwarded a commission, was 'so wholly tutored in the New England discipline,' that he would not advance the wishes of the Irish peer; and the people, who sub-

sequently refused Jamaica and Ireland, were not now tempted to desert the bay of Massachusetts for the Chesapeake." He continues:—

"But the design of the law of Maryland was undoubtedly to protect freedom of conscience; and some years after it had been confirmed, the apologist of Lord Baltimore could assert, that his government, in conformity with his strict and repeated injunctions, had never given disturbance to any person in Maryland for matter of religion; that the colonists enjoyed freedom of conscience, not less than freedom of person and estate, as amply as ever any people in any place of the world. The disfranchised friends of prelacy from Massachusetts, and the Puritans from Virginia, were welcomed to equal liberty of conscience and political rights in the Roman Catholic province of Maryland."

By all this it would seem that the provision of the Federal Constitution, securing universal freedom of religion, corresponds, or might be regarded as having been almost literally copied from the provision of the charter and statutes of the Catholic Colony of Maryland, proclaimed and acted upon by them one hundred and forty years before the war of independence. Hence, I submit that the Catholics of the United States, not only by what has occurred since, but by their presence and their principles, and their practice, from the earliest colonial times, are entitled in their own right to a full participation of all the privileges, whether civil or religious, which have been acquired by this country in the progress of her history. I have seen it stated in writing, and it may even occur to some one in this assembly, that the Catholics had no merit in this, inasmuch as they were too weak and too much afraid to have acted otherwise. Such an observation is more damaging to

the character of the other two Protestant Colonies than to that of Maryland. For if Protestantism be that liberal, generous, and tolerant system which we hear so much of, why should the Catholics of Maryland have been afraid of their neighbors? The objection is severe, almost sarcastic, in relation to Protestantism. But if it be said that the Colony of Maryland was weak, as compared with either of the others;—I will let that pass, with the observation, that if no higher motive can be ascribed for their proclaiming freedom of conscience, then I, for one, do not regret their weakness; for, perhaps, if they had been strong, they might have been tempted to emulate and imitate the example of their colonial neighbors.

It has been remarked by a modern writer, that for the last three hundred years, what is commonly called history would seem to be a conspiracy against truth. The ground of his remark which is highly exaggerated, is, that amidst so many religions, each historian is liable to be biassed by the prejudices of youth, the influence of associations, and partialities in favor of his own sect and creed. If there be any truth in the remark, and I think there is some, it cannot be a bad rule, when a historian writes fiercely against the professors of an opposite creed, or in favor of those who belong to his own, to receive his statements, not as gospel, but for what they are worth. But when a historian writes favorably of those professing an opposite religion to his own, then his statements are the testimony which is extorted by, or voluntarily offered to the majesty of truth. As to prejudice or partiality, Mr. Bancroft is admitted by all to be above suspicion: still he is a Protestant, and on this account I preferred that you should hear his testimony in regard to the Catholic

Colony of Maryland, expressed in language far more classical and elegant than any I could employ.

Far be it from me to diminish, by one iota, the merit that is claimed for Rhode Island, Pennsylvania, and, perhaps, other States, on the score of having proclaimed religious freedom; but the Catholics of Maryland, by priority of time, have borne away the prize, and it is but just to say,

— "ferat, qui meruit, palmam."

But it was not in Maryland alone that the Catholics, in the early history of the Colonies, gave proof of their devotedness to the principle of civil and religious liberty. The State archives of New-York furnish testimonies in this respect, not less honorable than those of Maryland.

In 1609 the North River kissed, for the first time, the prow of a European vessel; and the gallant bark acknowledged, as the way of ships is, the affectionate welcome, in the deep furrows which she ploughed up, for the first time also, on the tranquil surface of the beautiful river. But these soon disappeared. For it is the property of water, whether by river, or lake, or sea, or ocean,—as if intended to be a natural symbol of true charity and true friendship among men,—to render the appropriate service to those who require it, and then generously blot out every record and memory of the favor conferred. The captain of that ship, the name of which I forget, was an Englishman, in the service of the Dutch government. His own name, I need hardly tell you, was Henry Hudson.

From this beginning resulted, at a later period of our history, Fort Manhattan, next New Amsterdam

and the Province of New Netherlands; now, however, the City and State of New-York. The Colony of New Amsterdam and New Netherlands had been in existence, under the sway of a Protestant government, from that time till 1683; and as yet, strange as it may sound in the ears of my auditory, not a single ray of liberty, as we understand it, had dawned on the inhabitants of New Netherlands. This is queer, if, as is sometimes assumed, all liberty must necessarily come from Protestantism. If so, why had the Protestant government of Holland left its Protestant subjects here so long destitute of what we now call their civil and religious rights?

The English took possession of the province in 1664,—and the territory extending from the banks of the Connecticut to those of the Delaware, was granted by Charles the Second to his brother James, Duke of York and Albany. In 1673, the authority of Holland was once more temporarily established; but at the close of the war in the following year, the province was finally restored to England. The Duke of York took out a new patent. He was a Catholic, and although the school books say he was a tyrant, still it is a fact of history, that to him the inhabitants of New Netherlands, whether Dutch or English, were indebted for their first possession and exercise of civil and religious liberty.

"The Duke of York," says the historian whom I have already so often quoted, "was at the same time solicited by those about him to sell the territory. He demanded the advice of one who always advised honestly; and no sooner had the father of Pennsylvania, after a visit at New-York, transmitted an account of the reforms which the province required, than, without

delay, Thomas Dongan, a Papist, came over as governor, *with instructions to convoke a free legislature.*"

"At last," Bancroft goes on to say, "after long effort, on the seventeenth day of October, 1683, about seventy years after Manhattan was first occupied, about thirty years after the demand of the popular convention by the Dutch, the representatives of the people met in assembly, and their self-established 'CHARTER OF LIBERTIES' gave New-York a place by the side of Virginia and Massachusetts."

"'Supreme legislative power'—such was its declaration—'shall for ever be and reside in the governor, council, and people, met in general assembly. Every freeholder and freeman shall vote for representation without restraint. No freeman shall suffer but by judgment of his peers; and all trials shall be by a jury of twelve men. No tax shall be assessed, on any pretence whatever, but by the consent of the assembly. No seaman or soldier shall be quartered on the inhabitants against their will. No martial law shall exist. No person, professing faith in God by Jesus Christ, shall at any time be any ways disquieted or questioned for any difference of opinion.'"

I know not how it has happened that, in treating this subject, I had hardly launched my slender skiff, when I found it heading up stream, instead of gliding gently down the current of historical events. But now I hardly regret its caprice. I commenced with the floating of our flag from the battlements of Mexico,—that is, I began at the end, and, no doubt, it will be regarded as altogether in keeping, that I should end at the beginning. But the events are the same, no matter under which order of chronology they are considered. That little skiff, if I may be allowed to ex-

tend the figure for a moment, has stemmed the flow of a certain prejudice which calls itself history, has overcome successfully even the rapids of the adverse tide, —and now having reached, or approximated, the tranquil waters of earlier times, I can guide its onward course, with gentle and recreative labor, to the very well-springs of American history.

Having glanced at the period subsequent to the adoption of our Federal Constitution—at the circumstances of its formation—at those of the American war of independence, which had preceded—at those of the earlier Colonies, especially of the three primitive ones, Virginia, Massachusetts, and Maryland,—I now approach a period anterior to the Colonies themselves, namely, the period of discoveries. In this period all, or nearly all, is Catholic. From the first discovery of the country in 1492, until the date of the settlement of the first permanent Colony at Jamestown, Virginia, one hundred and seventeen years had passed away. Towards the close of the sixteenth century, several efforts had been made, under Protestant auspices, by Sir Walter Raleigh and his relative, Gilbert, to make a settlement on the Atlantic borders of this country. These attempts proved unsuccessful. Their projectors succeeded only in giving a name to the territory in which their experiment had failed. They called it Virginia, a name intended, no doubt, as a compliment to Queen Elizabeth. But within seventy years from the first voyage of Columbus, the coast had been visited, explored, sketched in maps circulated in Europe at the time,—visited and explored, I say, in all directions, north and south, east and west, on the Atlantic and on the Pacific,—by scientific and daring navigators, all Catholics, and all sailing under the flag of

some Catholic power in Europe. Quebec was founded in 1541. And from the spot on which we stand, to the North Pole, France at that period was in actual possession,—in this sense, at least, that there was no European power to question her title or disturb her occupancy. And from this spot to Cape Horn, the same was true in regard to the occupation and claim of the Spaniards and Portuguese.

But as I have spoken of the primitive Colonies, so I would now distinguish the primary Discoverers of America, from those who must take rank in the secondary or tertiary class. Even in the primary class, there must be no competition of honor or merit, as regards one who stands out by himself, the first, alone, incomparable, peerless—Christopher Columbus. But at a certain distance behind him, there were three formidable rivals, desirous of seeming, at least, to share with him a portion of that human glory which has made his name immortal. You will not be surprised that all these were Catholics, since at the period in which they lived and struggled for fame, Protestantism had not yet begun. But you will be struck with the fact, that the three imitators and rivals of Columbus, were his own countrymen—Italians, all. Their names were Cabot (father and son), Amerigo Vespucci, and Verazzani, the two latter natives of Florence, and the former, though residing in Bristol, in England, a native of Venice.

We cannot help regretting that the new hemisphere did not take the name of the first discoverer (if, as it would appear, it had no name of its own)—that it was not called Columbia, after the noble Genoese sailor, instead of America, from Amerigo, the Florentine. But after all, justice, in this respect, has contrived to es-

tablish a 'court of error' in the popular mind, whether in this land or in Europe, which rules, that whenever you pronounce the name of America, every one thinks of Columbus, and no one of Vespucci.

Poor Columbus! A sailor himself and as heir to the papers of his father-in-law, he had heard and read of voyages and their wonders, not unlike in their philosophy (but of a higher and different order) those which tempted Douglas from his Grampian hills. He went about from court to court, with a heavy heart, asking permission to *visit* the western continent and bring back news. Courtiers, and even sovereigns, who listened for a moment to his pleading, said or thought that the poor man was deranged. No, he was not; but he would have probably become so, if Providence had not opened for him an occasion and opportunity to test his theory by practical experiment. The difficulty was want of means to execute his project, or perish in the effort. In the court of Spain he had the support of one or two distinguished ecclesiastics. Columbus was a scientific enthusiast, and such men are always eloquent when they speak of their favorite project. Still his eloquence had proved vain at many courts, and in the final, almost hopeless interview, it was, as he knelt pleading before Ferdinand and Isabella, that he touched a chord which vibrated in the inmost heart of the illustrious and royal lady. In that august presence, he had spoken of the anticipated glory and gain, connected with the success of his enterprise, but without effect. But when he spoke of the probability of the existence of men made after God's image, who might be brought to know Jesus Christ, and to be saved, believing in Him, he melted the heart of "Isabella, the Catholic,"—so that she lost all appreciation of the jewels

that adorned her person and her diadem, threw them, so to speak, at the feet of the enthusiast, and deemed their value as nothing, compared with the mere possibility of their being instrumental in bringing souls buried in the darkness of paganism to the knowledge of Christ.

In a few months afterwards, Columbus was seen planting the cross on the island of San Salvador, and taking possession of this hemisphere, in the name of Christ our Saviour ("San Salvador") and of Spain. I look upon this scene as one of the most interesting, if not thrilling, events recorded in the annals of the human race. But in this title-page and frontispiece of American history, Columbus was not alone. His partner in the glory was Isabella the Catholic, the meek, the brave, the enlightened, the discreet, the beautiful Queen of Castile and Aragon.

Five years from the date of that event, namely, in 1497, John and Sebastian Cabot were sent out by the British Government under Henry the Seventh, and made an extensive survey of this coast,—creating thereby that title on which Queen Elizabeth based her right to plant colonies in this country, more than eighty years afterwards.

I have now touched, merely touched, on the prominent points of American history, so far as my subject authorized or required me to do so, from the first to the last page. I have reviewed the validity of the imaginary claims on which it is assumed that this is a Protestant country,—in presence of the Constitution, and all that has happened since its adoption—in presence of the faith of treaties—in presence of the war of freedom and independence—in presence of colonial history—in presence of the period of discoveries ante-

cedent to colonial settlement, at least on these shores, —and as yet, I confess, I have not discovered the first fact or document which could warrant any man, possessed of an ordinary amount of true information, to assume that this is a Protestant more than a Catholic country.

But, perhaps, it may be said that the religious or sectarian character of a country is to be determined, not by historic titles, either of discovery or occupation, but by the genius of its political and civil institutions. If this ground be taken, the evidences on the Catholic side are stronger than those which have already passed in review. The great elements of our institutions, namely, representative government, electoral franchise, trial by jury, municipal polity, were all the inventions of Catholics alone. They come in part from the period of Alfred the Great. They had acquired a very high development already under Edward the Confessor, and it was only after royal power had attempted to make encroachments on the rights secured by them, that the Barons at Runnymede extorted from King John a written pledge, not to secure new privileges, but to confirm those which were understood as the hereditary birthright of English Catholic freemen. These, therefore, assuredly do not supply any evidence that this is a Protestant country. But, perhaps, it may be well to inquire what is meant by this term. It surely cannot be that the elements of nature, earth, air, fire, or water can be qualified as belonging to one denomination more than to another. We are composed of Catholics and Protestants, if you will, in the enjoyment of a common inheritance; and although the fields of Protestant proprietors may be more numerous than those of Catholics, still the same dews of Heaven cause the wheat to germinate

in the earth, and the same sunbeams ripen the harvest of the one as well as of the other, without discrimination. But if those Protestant proprietors should ask of us to be grateful for this, that they permitted us to share the dews and the sunbeams with themselves, that we ought to be thankful for this, our answer is, No, gentlemen; our title to the benefit of the seasons is just the same as yours. We are, indeed, grateful for your kind offices of good neighborhood, but, pray, do not require us to give you thanks for Heaven's gifts, which we share in our own right.

What, then, is the meaning of the words Protestant country, as applied to the United States? I suppose that, at last, it will come down to signify nothing more than that the majority of the inhabitants are Protestants. But has it never occurred to those who could make such an observation, that majorities and minorities are mere accidents, liable to change, whereas the constitution is a *principle*, and not an accident? Its great and inappreciable value is that it prescribes the duties of majorities, and protects, with equal and impartial justice, the rights of minorities. In this country, the Constitution of the United States is the majority, and it shall rule. Now, in presence of the Constitution, this is neither a Catholic nor a Protestant country, but a broad land of civil and religious freedom and equality, secured indiscriminately to all.

In passing so rapidly on the direct line of my subject, I have been obliged to leave unnoticed innumerable incidents, many of which possess attraction enough to have made one turn aside, and dally by the way. For instance, the missionary labors of the Jesuits and other apostles of the Cross, who, thirsting not for gold, but

for souls, had not ceased to traverse this country, in every direction, from the earliest period. Time has, to a great extent, obliterated their footprints on the soil, but the reason is, in part, that the Indian tribes among whom they labored are gone,—shrinking away into the deeper or more distant wilderness. The memory of the illustrious Jesuit Fathers, who labored for their conversion, has accompanied their descendants even to their present remotest hunting-grounds. But it has become comparatively weak, and is now reduced to a symbolic term, which they cherish with great affection, and express in the words 'black-gown,' or '*robe noir*.' Two hundred years ago, the poor Franciscans trod the golden sand of California beneath their bare feet, without noticing or appreciating its value. They looked more to Heaven than to earth, and it would have been almost out of keeping with their character, to have made the discovery, which has recently startled the mind and whetted the cupidity of the world.

Two hundred years ago, Father Le Moyne, laboring among the Onondagas of this State, discovered the Salt Springs, which abound near Salina and Syracuse. At present, nearly all men believe in the reality of the discovery, but prejudice was then what prejudice is now, and when a Dutch clergyman of New Amsterdam, to whom Father Le Moyne had made known the discovery, reported the same to the Classis in Holland, added, by way of caution, "but whether this information be true, or whether it be a Jesuit lie, I do not determine!" And in that precise year, that is, in 1654—passing to another scene of a different order, you will be surprised and sorry to hear that the Catholics of Maryland, who had given such an example

as we have seen described, were themselves disfranchised on account of religion.

It is not to be inferred that, in this historic review, I have been insensible to the merits of other persons and other parties besides Catholics. But the character of my subject, and the limitation of my time, do not permit me to speak of them. Nor is it necessary. Neither the descendants of the Virginia Colonists, nor those of the Pilgrim Fathers, have allowed their ancestors to pass away "unwept, unhonored, or unsung." They are proud of being the descendants of such parentage. Nor need a Catholic be ashamed if he is told that he was born near the site of old St. Mary's, in Maryland. As a Colony, and as a State, she has had her distinguished men. The supreme recognized interpreter of the laws, even of the Constitution, is her son, and a Catholic. The judicial ermine will contract no stain while it is worn by him. Pure and unsullied he received it from the illustrious Marshall, and to his unknown successor he will transmit it as unsullied and as pure,—but not purer than is his own private character. The death of Charles Carroll of Carrollton, the last of the signers of the Declaration of Independence, is a comparatively recent event. The galaxy of great men who had endorsed that immortal instrument had disappeared, one after another, until the star of Maryland alone was left,—and not by one State, but by all, its declining course was watched with deepest interest, until, becoming brighter as it neared the horizon, it was seen no more,—and is now but a gratefully cherished memory.

The moral of the remarks I have made, if they have any, should be, in my judgment, that no pretensions to religious ascendancy should be entertained on

one side, or admitted on the other. In the whole range of human benefits, no nation on the earth has more reason to be thankful for the favors which the kind Providence of Almighty God has placed in its possession, and within its reach, than the people of the United States. Let them, without distinction of creed, unite, and be united, in preserving the common inheritance;—let them vie with each other in mutual kindness and good offices; vie with each other in honorable rivalry, as to who shall be best citizens; who shall most faithfully support the country and obey the laws. I hope the time is far distant, but yet it may come, when our country shall have need of all her children. O then, let them be prepared to rally around her, as around their common mother, who had been at all times equally impartial, and equally kind to them all.

I cannot conclude without calling your attention to three distinct moments of American history, which, in the events themselves, in their circumstances and consequences, stand out apart in their own moral grandeur,—not to be confounded with any others. The first, is the moment when Washington spontaneously returned his victorious sword to the civil authority of the country which he had liberated. To my mind, the annals of mankind, from the very origin of time, have never presented, in the order of merely human moral grandeur, a moment or a spectacle, more sublime than this. The other, not less sublime, is that in which, after having remained unknown to each other, so far as we can tell, from the period when the foundations of the earth were laid, two worlds met for the first time, and were introduced to each other around the cross, planted by Columbus, on the Island of San Salvador, in 1492. The third, was that in which the Queen of Castile and

Aragon, offered to pledge the precious stones of her crown, in order to defray the expenses of his expedition. If, as there is reason to believe, she was prompted to this by love for souls that might be saved, even though their existence was yet doubtful, this was not only a sublime moment, it was almost divine, as insuring success to the enterprise from the inward prompting and impulse of heavenly charity. Of course, the chivalry of Spain would not allow their sovereign lady to make such a sacrifice. They provided means from other sources. And although they did well in this, we are tempted almost to regret that some of her jewels did not, by some honest accident, find their way to this country. The sword of Washington is treasured as a precious relic, no less of his patriotism than of his bravery. The hilt of such a sword would be fitly gemmed by a jewel once possessed by such a queen—the patroness of Christopher Columbus. The double relic would represent two important events connected with American history, and be an interesting memorial at the same time of the achievements of Washington and of the magnanimity and charity of "Isabella the Catholic."

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